

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-03-0215 WBS KJM P

vs.

DAVID R. KING,

Movant.

ORDER

_____/

Movant, a former federal prisoner proceeding pro se, filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On July 25, 2006, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed July 25, 2006, are adopted in full;
2. This action is dismissed without prejudice; and
3. The Clerk of the Court is directed to close the companion civil case, No. CIV.

S-05-2207 WBS KJM P.

DATED: September 19, 2006



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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